

A ⁵
REFUTATION

Of all the MALICIOUS

Falseshoods and Misrepresentations,

AGAINST

Sir RICHARD Cox, Bt.

And his Eldest Son

RICHARD Cox, Esq;

Contained in a Paper, entitled,

A Letter to the Public;

AND

Published this 24th Day of June, 1756.

B Y

Sir RICHARD COX, Bart. ^{2nd} *etc*

D U B L I N :

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A
REFUTATION
OF THE
FALSEHOODS
AND
MISREPRESENTATIONS, &c.

Dublin, June 24, 1756.

I HOPE I have hitherto been justified, for doing what I have publicly done, in behalf of my son: I could not have done less, without omitting to discharge the duty of a father to an excellent child, who deserves the best things from all virtuous men, but must expect to be persecuted by the debauched, for his early example is their condemnation.

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I NEED

I NEED not demand any indulgence for rising up, in vindication of my own reputation ; which has been this day attacked, in a most ignominious manner, by the same knot of conspirators, who have, through mere envy of goodness, which they cannot imitate, and detestation of virtue, which they are strangers to, attempted to blast my eldest son's budding character.

MINE and his cause will be best defended by a brief detail of all the particulars I am acquainted with, relative to the late adventure. I cannot call it unfortunate, because it will prove an excellent instance of a doctrine I have often laid before him ; yet, I must, most sincerely, beg his pardon, for the transitory trouble it may give his tender mind ; having been myself the accidental cause of the knowledge he had of JAMES ALLEYN, to whom I was very desirous to shew all the countenance in my power.

I SHALL not say one severe word of my unhappy relation, Mr. RICHARD FENWICK, who hath fallen into so bad hands, more than is absolutely necessary for my own justification ; and, indeed, I shall avoid every expression of rancour : I mean not to abuse those who have thus wronged me ; I shall leave them to the law and their consciences : present vindication is all I want ; and, I hope, I shall be fully vindicated amongst good Men by what follows.

I AM very sorry my good cousin has mentioned *the affairs between him and his father being at that time in*
my

my management ; because the story must aggravate his offence, as well as that of his friend, who permitted him to publish so gross a falsehood. Sure I am, if they were then in my management, they are still so ; for nothing has been done to remove the management since : and it is strange what is become of his caution, since, surely, he can now expect no friendship at my hands.

THE story is this.—My Father was trustee to a marriage settlement made by ROGER FENWICK, Esq; on his sister, my aunt ; by whose death, I inherited the trust. In the infancy of RICHARD, the son, the same who hath now *counter-certified himself*, I found that the settlement had never been registered, and that a sum of 400 *l.* had been raised upon the estate : I forthwith interposed, searched for, found the settlement, and had it registered ; thus preventing further hurt being done to the estate, and wrong to the minor. The affairs of the father and son grew very distressed, chiefly through the 400 *l.* before mentioned ; the latter came to this town some time ago, with JAMES ALLEYN, his attorney, to settle matters with his father, for their mutual advantage : both, of their own accord, applied to me for my mediation, which I readily undertook ; proposed such terms as both assented to ; drew short instructions for the lawyers to proceed upon, which I delivered to his attorney long before this affair with my son : and there ended my management. Indeed, the necessary intercourse about this business revived an old acquaintance with the father, which is all my family have acquired by my service ; save a better acquaintance

quaintance with Mr. JAMES ALLEYN, as well as a thorough knowledge of my Cousin.

Now, to the principal business. On thursday the 17th Inst. the Day after my son had, in my opinion, most justly and laudably *threshed* Mr. JAMES ALLEYN, on Stephen's-green; about ten of the Clock, my wife made me acquainted with the affair. I was, on the first hearing, enraged with my son; and went into the room where he was, with his cousin-german, Mr. RICHARD EYRE. There I rated him severely for what he had done; and told him, that it shewed too great cruelty in his nature, as well as pride, to fall upon a man, who, I was sure, was so firmly attached to me, that he would not offer the least offence to any servant of my family, much less to my son. He endeavoured to put in a word in his own justification; but I was so possessed with my own opinion of ALLEYN's friendship for me, that I would not hear him, continued to abuse him, and lament poor, distressed ALLEYN, expecting every minute to see him enter to demand redress from me. At the instant, Mr. THE. BOLTON was accidentally passing by, and my son begg'd I would apply to him for information; for he saw the whole, and he was content to abide by his report.

I CALLED Mr. BOLTON, who very obligingly went into my closet with me, *alone*, without exchanging one word with any other person in my house; and there he voluntarily declared in substance the fact to be, as it stands related in my son's
adver-

advertisement, and concluded with saying, “ The
 “ person, whom Mr. Cox had threshed, deserved
 “ well what he had got; for he believed he had
 “ quarrelling in his head, having bragg’d to them,
 “ that as he came there, *He had jostled or shouldered*
 “ *six gentlemen with swords by their sides, and they took*
 “ *no notice of him.*

THIS conference being over, I returned to my Son, and told him, it was providential, that Mr. BOLTON had just then dropp’d in my way; for I should otherwise have sent for ALLEYN, to have given him any satisfaction his character could have called for. Word was then brought me, that Mr. FENWICK was below; and somebody (not Mr. Cox) then said, that he had shewed too great favour to ALLEYN the night before; for he had collared Mr. Cox. I was not a little provoked at this, and when I went to Mr. FENWICK, did not fail to express my resentment: He seemed extremely sorrowful, and denied the fact as charged; and then I called my eldest son, who acquitted Mr. FENWICK of any ill design, and placed the collaring to a purpose of preventing farther hurt to ALLEYN. I was pleased with this apology, and then told him, Mr. BOLTON had been with me, and related the fact; that, notwithstanding, I should be glad to hear it from him also; and he very frankly told in substance the very same story Mr. BOLTON had told before, which set me quite at ease. I advised him to put his business into some other person’s hand, which he assured me he would immediately; and named a gentleman,
 because

because, he said, he was not a friend to ALLEYN: and so we parted.

I THEN advised my son not to accept of any message from ALLEYN, for sundry reasons; but principally, because in case of a fixed meeting ending in the fall of ALLEYN, the *threshing* of the night before might rise in judgment against him. But I directed him to get Mr. DAY of Trinity-College, a sensible, active, good-natured young gentleman, who, I believed, loved my son, to accompany him every where; to put on his sword, and carry a stick in his hand; to shew himself in all places, and particularly in the place where the offence began. I told him, I suspected that ALLEYN, since he had not applied to me, meant, if he had any spirit, to insult him, and probably would have some body near at hand, to prevent his revenging himself upon the spot, by which he would be put into ALLEYN's situation. In such a case, his friend DAY would take off the second person, and give him an opportunity of doing himself right, in whatsoever manner he should be attacked. And having thus instructed him, I went to dine at Mr. REEVES's, about four miles from the city, and when I returned found I had been obeyed punctually in the former part; but that the latter part of my instruction had been of no use; no occasion having offered of putting it in execution.

THE next day, friday the 18th, I desired he would act as before, and so he did till noon. On this day, whilst I was attending my duty at the Dublin Society, the libel against my son

son was publishing, of which I had no knowledge, nor the least suspicion. At dinner I observed my son *gloomy*; and supposed it the effect of an indisposition, for which he daily drank goat's whey. I tried all ways in my power to raise him, but to no effect. At night, as soon as the company departed, I asked what ailed him? He told me, he was quite dejected, on account of a scandalous paper, Mr. GORE, sir ARTHUR GORE's eldest Son, (one of my guests that day,) had told him, was handed about in coffee-houses, the four-courts, &c; which, he said, Mr. GORE would endeavour to get for him. The next morning, I charged him to remain at home, until I could, by some means or other, procure one of the libels: I set all my friends at work, and went to the four-courts, coffee-houses, &c. but could not procure one; though, doubtless, if any spirit had been at bottom in the libeller, Mr. Cox ought to have seen the first of them: But, the truth was, that not one was sent to my house, or to any body in it. At length, late in the evening, my second son, MICHAEL, who was indefatigable in his pursuit, procured one from an acquaintance, who did not wish to be published. Whilst I was abroad in the morning, alderman BAILIE, hearing of the libel, came and surprised my son. He carried him into town, and would not part with him, till he found sureties of the peace. Nothing then was left to be done, but to overthrow the scandal and falsehood of the libel.

ON sunday the 20th in the morning very early, I drew up a state of the fact, as I had received it from Mr. BOLTON and Mr. FENWICK; and, when I had so done, I read it to Mr. Cox, and desired to be assured by

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him,

him, whether it were true : He declared, as he was a *Christian*, (and I had good reason to rely upon such a declaration from him) that it was every word true. I then sent for Mr. FENWICK, and, in the presence of some of my family, particularly of my son MICHAEL, a fellow commoner in Trinity-college, read to him, paragraph by paragraph, the Advertisement, as it afterwards appeared in print, and demanded from him, whether it was true? He answered, it was exactly true. I then desired to know, whether he would certify, that it was true? He said, he would do it readily. I told him, that though it were but bare justice he was doing, I was yet much obliged to him for the chearfulness, with which he did that justice ; and then retired to my closet to write a fair copy for the press. By that time, my whole family was gathered to breakfast, and, in the presence of my wife, my sons RICHARD and MICHAEL, and daughter CATHARINE, who is a young woman, (and of another son and daughter who are too young to have sufficient observation of such a matter) I read the fair copy to him, paragraph by paragraph, put the same questions, and had the same answers. He took the pen in his hand, and was going to sign the certificate, but I stopped him, and bid him read it first carefully, and weigh every word of it ; for it would be published the next day. He did so, and then signed the certificate : And after he had so done, he recommended it particularly, that, when published, some of them should be sent to Cork ; for he was sure the libels had been sent there. I do most solemnly declare, that I have, in every particular, to the best of my knowledge, set forth this transaction truly ; and, if need were, my wife, my daughter, and my two sons
are

are ready to join with me, in the most solemn manner to prove the truth of every assertion herein made——
And sure these conspirators have not been able to destroy the credit of us all.

I DINED in the country at counsellor HELY HUT-
 CISON'S: And, it seems, Mr. FENWICK dined at the
 Sun in Dame's-street, the house of one LEWIS, with
 ALLEYN, WILLIAM GOULD and JONAS LANDER,
 his constant companions by day and by night. What
 had been done in my absence I cannot say; but when
 I returned I met ROGER FENWICK, the father, who
 desired a conference with me in my closet, which he
 had. His business, he said, was "To beg, I would
 " not publish his Son's name to the certificate; for
 " that his life was in danger, and he must fight
 " ALLEYN and GOULD; and, as he had a charge, he
 " hoped I would not put his life in jeopardy, espe-
 " cially, as Mr. BOLTON knew all he did know; and
 " would certify it," I answered, "That Mr. FEN-
 " WICK was the person appealed to in the libel, and
 " therefore his testimony could not be disputed; that
 " he was my relation, and ought at all hazards of
 " his body, to stand up in support of our honour;
 " that Mr. BOLTON was not in his own power, and
 " must first consult his father and another friend,
 " before he could sign any certificate, but was ready
 " to affirm the truth of the Advertisement, whenever
 " he was called upon; that as for Mr. FENWICK'S
 " life, I would endeavour to preserve it, but would
 " not keep my own at the expence of my son's
 " honour." When he found his solicitation in vain,
 he departed.

As soon as he was gone, my son RICHARD informed me, that the father's application to me was the last effort of these desperate men ; for the son, RICHARD FENWICK, had first written a letter to him, wherein his terror fully appeared, and quickly followed his letter in person ; and, before him and his brother MICHAEL, talked as incoherently as a *fear'd* man ; but, at length, desired MICHAEL to withdraw ; for the rest he had to say was to be a secret. When MICHAEL had withdrawn, he said, " GOULD had threatened him " desperately, if he signed any certificate contradict-
 " ing what ALLEYN had affirmed ; and that he
 " wished and beg'd, he would prevail with his father,
 " not to publish his certificate." To which my son
 could not assent. " He then beg'd, he would get
 " him secured from fighting, by having him bound
 " over ; and that he would pretend to be sick, and
 " keep his bed the next morning, until he came to
 " relieve him." My son promised to do as much of
 that as was in his power. I was wonderously surprized
 with this strange, weak conduct ; and sent immediately
 for him, but received from his father an answer,
 that his son would be with me at six in the morning.

At half an hour past four in the morning, I sent a
 servant to desire Mr. RICHARD FENWICK to come to
 me : His servant returned with mine, and reported,
 that his master had been bled in the night, and was
 so ill, that he could not stir abroad ; but had sent me
 the following letter.

" I WOULD

Dublin, Sunday-night, June.

“ I would not trouble Sir RICHARD Cox about this
 “ affair, but that my situation is a very unhappy one.
 “ I would not think of this, *but that Mr. Cox has al-*
 “ *so, as every body says, done what he ought.* Con-
 “ sider, Sir RICHARD, what a poor helpless charge I
 “ should leave behind me, IF NOW LOST, at least
 “ without making some provision for them, and
 “ without having any thing to say to the affair; for
 “ the young gentleman that was there, I believe,
 “ knows how the thing was, tho’ I would not put you
 “ out of temper, for it shall always be my study to
 “ serve Sir RICHARD Cox, to whom I am, with great
 “ respect, a most obedient humble servant,

RICHARD FENWICK.

I WAS resolved to have from his own mouth an explanation of this most extraordinary letter; and about six arrived at his bed-side, in Michael’s-lane, where he and LANDER are, it is said, usually *bed-fellows*.

I FOUND him apparently in a very faint condition; his head hard bound up; low and languid in his speech. He told me, he was so ill, that he was forced to be bled in the night; and, I think, he was so exact as to tell me the bleeder’s name. I expostulated with him about his fickle conduct. To which he answered with groans, as if violently oppressed. I told him, “ That it was in vain, to expect I should stop
 “ his certificate, for it was printed; and published it
 “ must

“ must be. I told him, that I heard, he had borrowed *fifty pounds* from ALLEYN, and perhaps he might be under some terror of being thrown into gaol ; but if that were all, he need not be at all afraid, for I would pay the money ; no friend of mine should be subject to lie in a gaol for a larger sum than that ; much less should any friend suffer for doing his duty to me.” He answered, “ That he had not borrowed from him more than ten or twelve pounds, and was not afraid of that.” I asked him, what other cause there was for his uneasiness, and what he meant by being LOST in his letter to me ? He answered, that he had met ALLEYN and GOULD the night before, and “ that GOULD swore bloodily, if he certified any thing contrary to what ALLEYN had asserted, he must render *him* an account of it ;” which, he said, so terrified him, that he was all over in an agony ; for GOULD was very *desperate*. I urged him to pluck up his spirits, and act more like a man, but could not move him ; and, at length, he prayed me, to apply for relief, to secure him from ALLEYN and GOULD. I told him, I would go to the Lord Chief Justice, to lay the Affair before him, and bid him carry on his sickness, till a message came from the Lord Chief Justice, or I sent him a note of *all is well*. Accordingly I waited on his Lordship about seven of the clock in the morning, related the whole story, and shewed to him the supposed advertisement of ALLEYN, against which I informed his Lordship Mr. FENWICK was to certify, but was threatened with death by GOULD ; and that I came directly from FENWICK, to pray his protection.

His

His Lordship did, with great humanity and goodness, interpose, and had FENWICK brought out of his bed, and cured him effectually. As soon as FENWICK was secure, I then ordered my son's advertisement to be published ; and, before it was published ten minutes, ALLEYN and his *comrades* gave it out, that FENWICK had not signed the certificate ; but the original certificate at PETER WILSON's soon convinced them that it was in vain to depend any longer on that idle Fable : So they have kept my unhappy kinsman hot-headed ever since, secreted him from me, and prevail'd on him to sign what, I have charity enough to hope, he never read.

It is possible, nay, it is probable, that I may be persecuted with more false certificates, perhaps with false affidavits. But for all future answers I shall leave them to the law ; which, I hope, will not be found to want a remedy for every wrong. I think, the witnesses to a libel ought to be considered as authors ; or, at least, as publishers : and then, I think, I cannot miss of ample revenge against those, who have machinated all this mischief against my family.

I HAVE been upon fundry occasions exposed to much scandal and malice : I never felt either. I knew how to repel them, from that experience I have gained in the world. But, I confess, I have felt much for my son since last *Friday* evening, when I first heard of that most infamous libel against him, more than I ever felt for all the mishaps of my own life. I knew his innocence ; but I saw him sinking under
oppression,

oppression, without knowing how to help himself. I can comfort these base enemies to the honour and repose of my family, by assuring them that they have succeeded so far, as to disturb the peace of a family, that had every thing within itself to make it happy. But, on the other hand, I must mortify them, by assuring them, that, before this accident, I did but love my son; I now honour him: for I look upon his virtue to be the cause of his persecution; and pray God, he may live to be a scourge to the vicious, and an inexorable enemy to all those, who lay themselves out to debauch tender and unwary youth.

IF I have omitted any thing material, the hurry must excuse me; for I thought it absolutely necessary, to circulate the antidote by the same post that carries the poison.



Richard Cox.

